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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,223	09/13/2000	Futoshi Kaibuki	450100-02710	7775

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EXAMINER

HUYNH, KIM T

ART UNIT	PAPER NUMBER
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2189

DATE MAILED: 02/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/661,223

Applicant(s)

KAIBUKI, FUTOSHI

Examiner

Kim T. Huynh

Art Unit

2189

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

#### ***Title***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: reference 70 of figure 1. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Claim Objections***

3. Claims 6 and 7 are objected to because of the following informalities: the limitation "said subunit" is inconsistent with the recitation as recited in claim 1. It's suggested that applicant replaces "said subunit" with --said data processing subunit--. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 19-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 19, the preamble "A method comprising" renders the claim indefinite because it is not suggesting what the scope of the claimed invention is. –

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Referred to Fig.10 vs Claim 1, lack any showing of interconnection or operative manner in which functions claimed are performed. See spec page 9, line 7 – page 10 line 3.

Therefore, the disclosure is not sufficiently disclosed for one ordinary skill in the art to make and/or use the claimed invention.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-17 and 19-33 are rejected under 35 U.S.C. 102(e) as being anticipated by ITO et al. (U.S. Pub. No. 2001/0043731 A1)

a. As per claims 1 and 19 (as best understood), Ito discloses an electronic device for processing data comprising:

- a data processing subunit for receiving and processing input data;  
[0086-0088] *1344 is for game*
- a functional block (fig. 18, 202) <sup>*Σ 0183*</sup> included within said a data processing subunit, operative as a termination device to terminate the data processed by said data processing subunit; [0104], [0116]
- a memory for storing information pertaining to said functional block.  
[0093], [0182]

b. As per claims 2 and 20, Ito discloses further comprising connection means for logically connecting said data processing subunit and other electronics of said electronic device. [0086], [0087], [0104]

c. As per claims 3 and 21, Ito discloses wherein the information stored in said memory indicates that said functional block terminates data received by the data processing subunit. [0182], [0183], [0184]

d. As per claims 4 and 22, Ito discloses wherein the information stored in said memory is accessible by an external electronic apparatus connected to said electronic device. [0180]

e. As per claim 5, Ito discloses further comprising connection means for logically connecting said electronic device and said external electronic apparatus. [0180]

f. As per claim 6, Ito discloses wherein said subunit further comprises another functional block for performing said input data processing and supplying said processed data to said functional block operative as a termination device. [0182], [0019]

g. As per claim 7, Ito discloses wherein said memory further stores information pertaining to said subunit. [0093]

h. As per claim 8, Ito discloses wherein said memory is a descriptor. [0093]

i. As per claim 9, Ito discloses wherein said memory has a hierarchical structure. [0086]

k. As per claim 10, Ito wherein said data is image data (fig.18, 21) and said functional block is an image display means that terminates said data by converting the processed data into an image signal and displaying an image corresponding thereto. [0183], [0179]

l. As per claim 11, Ito discloses wherein said image display means is a display. [0184]

m. As per claim 12, Ito discloses wherein said image display means is a printer (fig.18, 202), [0183], [0184]

n. As per claim 13, Ito discloses wherein said data is audio data and said functional block is an audio output means that terminates said processed data by converting it into sound corresponding thereto. [0180], [0160]

p. As per claims 14 and 29, Ito discloses wherein said electronic device is configured to perform data communication with other devices via a serial data bus. [0147]

q. As per claims 15, 24, 30 and 33, Ito discloses wherein said information pertaining to said functional block stored within said memory includes information concerning virtual plug information of said functional block. [0081], [0086]

r. As per claims 16, 25 and 31, Ito discloses further comprising another functional block for processing said data and supplying said processed data to said functional block operative as a terminating device, and said memory further storing information concerning virtual plug information of said another functional block, wherein all of said virtual plug information is accessible by an external apparatus coupled to said electronic device via said serial data bus. [0182], [0183], [0184], (fig.29)

s. As per claim 17, Ito discloses wherein said serial data bus performs data communication in accordance with the IEEE-1394-1995 standard. [0147]

t. As per claim 23, Ito discloses wherein said input data is received by said electronic device over a serial data bus. [0192]

u. As per claims 26 and 32, Ito discloses a system having a plurality of electronic devices coupled to one other via a data bus to enable transmission of data among said devices, comprising:

- a data transmitting device for transmitting data over said data bus; [0192]
- a data receiving device for receiving the data transmitted by said data transmitting device over said data bus; [0192]
- wherein said data receiving device comprises:
  - a data processing subunit for processing said received data; [0192], [0086], [0088]
  - a functional block, included within for processing subunit, operative as a termination device to terminate the data processed by said data processing subunit; [0180], [0192]
  - a memory for storing information pertaining to said functional block. [0182]

v. As per claim 27, Ito discloses wherein said data receiving device further includes connection means for logically connecting said data processing subunit and other electronics of said data receiver. [0180], [0182], [0192]

w. As per claim 28, Ito discloses wherein the information stored in said memory indicates that said functional block terminates data received by the data processing subunit. [0192]

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the



invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. (U.S. Pub. No. 2001/0043731 A1) in view of Ludtke et al. (U.S. Patent 6,141,702)

As per claim 18, Ito discloses all the limitations as above except Ito fails to disclose an electronic device is a digital television receiver. However, Ludtke discloses a network device includes a television device. (col.6, lines 39-59)

It would have been obvious to one having ordinary skills in the art at the time the invention was made to incorporate Ludtke's teaching into Ito's method to include a DTV receiver so as to have a greater flexibility for supporting any type of devices for the system.

### **Conclusion**

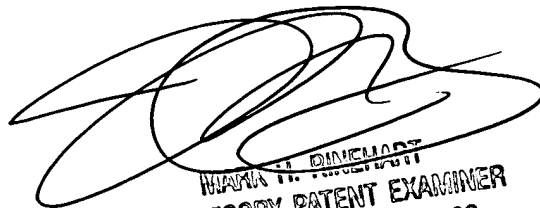
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Huynh whose telephone number is (703)305-5384 or via e-mail addressed to [kim.huynh3@uspto.gov]. The examiner can normally be reached on M-F 8:30AM- 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (703) 305-4815 or via e-mail addressed to [mark.rinehart@uspto.gov]. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7249 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-5631.

Kim Huynh

Jan. 20, 2003

  
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